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De Pere superintendent accused of illegal payroll activities in Ashland suit

By Jim Kneiszel, Green Bay Press Gazette

DE PERE -- De Pere School District Superintendent Ben Villarruel is being accused of forcing an employee to falsify payroll records in his last job as superintendent of the Ashland School District.

A former Ashland schools payroll benefits specialist, Belinda Miller, also accuses Villarruel and the Ashland district's business manager of wrongful discharge for creating intolerable working conditions that forced her to resign.

Miller is suing the Ashland district and School Board, asking to be reinstated to her job, be paid damages for past, present and future lost earnings, attorney's fees and compensatory damages for mental suffering, fright, distress, anxiety and emotional trauma.

The illegal payroll activities began in 1998, according to the civil suit filed Feb. 3 in Ashland County Circuit Court. Villarruel was hired away from Ashland as the De Pere superintendent a year ago, the same week Miller resigned.

According to the suit, Villarruel and business manager Bonnie Stegmann ordered Miller to falsify the payroll records of a full-time custodian. Miller contends she was asked to unlawfully classify a fulltime worker as an independent contractor. She said at times hourly workers were not paid for time worked, were not paid at an overtime rate when they qualified and were forced to take compensatory time off in lieu of wages.

Villarruel is out of the office this week and could not be reached for comment. Reached Monday, Miller wouldn't comment on the suit. Ashland superintendent Ken Kasinski, and Miller's attorney did not return calls from the Green Bay Press-Gazette Monday.

De Pere School Board President Jon Paque could not be reached for comment.

Villarruel replaced former superintendent Richard Yenchesky after the De Pere School Board paid Yenchesky \$325,000 as part of a separation agreement in summer 2001.

According to the suit, Villarruel and Stegmann "retaliated against" Miller, including "no longer permitting her to go to training seminars, isolating her work station from other employees" and "sabotaging (her) work performance by denying timely access to payroll information necessary for the completion of her job."

An order to deny employees wages and time off and poor work conditions prompted Miller to resign, the suit says. The school district has 45 days to respond to the suit.

Feb 7, 2003

Former employee sues School District for wrongful discharge

By Kevin O'Brien, Ashland Daily Press

A former employee in the payroll department of the Ashland School District has filed a wrongful discharge suit against the district, claiming that she was forced to quit her job when she uncovered wrong-doing in the district's payroll.

Belinda Miller was fired as a payroll benefits specialist in 1994, and during her work at the district, she allegedly discovered at least one legal discrepancy in the payroll and also found that several employees were not being paid for all the hours they worked.

Miller claims that she told then-superintendent Benjamin Villarruel and the business manager Bonnie Stegmann that full-time custodian John Lavassuer was incorrectly classified as an "independent contractor" for his work cleaning offices, which he did separately from his full-time duties.

Miller said Villarruel and Stegmann knew that it was an intentional mistake designed to defraud taxing authorities, but they refused to correct the incorrect classification.

In addition, Miller said she called their attention to several errors in the payroll which deprived non-exempt employees of regular and overtime pay, as well as accrued compensatory time.

Villarruel and Stegmann ignored Miller's complaints, according to the lawsuit, and retaliated against her accusations by isolating her work station from other workers, not allowing her to attend seminars, and by sabotaging her work by denying her timely access to payroll information.

Miller brought her accusations to the Ashland School Board at its meeting on Dec. 13, 2001, but according to the lawsuit, the members refused to take her side or protect her if the tax code violations did exist.

According to the suit, Miller's working conditions became "so intolerable she was compelled to resign" as a payroll specialist on Dec. 21, 2001, effective Feb. 13, 2002.

As part of her lawsuit, Miller is asking to be reassigned to her position, and is seeking reimbursement in past and future earnings, as well as court costs and compensatory damages for mental and emotional distress.

The school-district has up to 45 days to respond to the lawsuit, which was filed at the Ashland County Courthouse on Feb. 3.

Ashland School District Superintendent Ken Kasinski said he could not comment on the lawsuit.